

ORDINANCE NO. 20220920A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KRESS, TEXAS, ADOPTING THE CODE OF ORDINANCES, APPENDIX A, FEE SCHEDULE AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS DATE OF PUBLICATION.

WHEREAS, City Council desires to adopt the Fee Schedule to reflect the charges which may be assessed to recover the costs incurred by the City to provide services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KRESS, TEXAS:

Section 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Waive Fee Clause. The City Mayor is authorized to waive any fee contained in this Fee Schedule which is determined by the City Mayor to have a public purpose and be in the best interest of the City of Kress, Texas.

Section 3. Fee Schedule. The Fee Schedule, attached hereto as Exhibit A is hereby adopted.

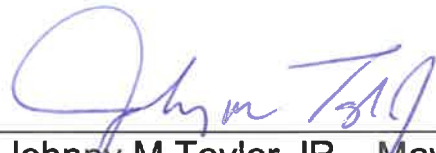
Section 4. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Kress, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 5. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or of Appendix A of the City of Kress Code of Ordinances and the remaining portions shall remain in full force and effect.

Section 6. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Kress, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense. Ordinance 20200920A Kress Fee Schedule - Appendix A

Section 7. Effective Date. This ordinance shall take effect immediately after its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Kress, Texas this 20th day of September, 20 2022.



Johnny M Taylor JR., Mayor

Attest:



Deelane Buske



Glenda Davis



Galen Owen



Dina Vuittonet



Sara Vuittonet

APPENDIX A
FEE SCHEDULE

ARTICLE A1.000 MISCELLANEOUS FEES

Sec. A1.001 Processing fee for payments by credit or debit card

For each fee, fine, court cost, payment or other charge that is paid by credit card, the officer collecting same shall also collect a processing fee in an amount equal to three percent of the amount of the fee, fine, court cost, or other charge, as authorized by section 132.003(b), Texas Local Government Code. Each fee, fine, court cost, payment or other charge that is paid by credit card or by debit card via the city's online e-pay payment system shall also pay a processing fee in an amount of \$3.00 (three dollars), as authorized by section 132.003(b), Texas Local Government Code.

Sec. A1.002 Municipal court fees

- (a) Technology fund fee: \$4.00.
- (b) Building security fund fee: \$3.00.

ARTICLE A2.000 ANIMAL CONTROL FEES

Sec. A2.001 Annual License fees

- (a) Dog/cat: \$10.00 or \$5.00 if altered.
- (b) Dangerous dog: \$500.00.
- (c) Replacement tag or microchip: \$7.00.

Sec. A2.002 Impound fees

- (a) Impoundment charges where impoundment occurs during regular working hours shall be as follows:
 - (1) Class A, dogs/cats/ferrets: \$50.00.
 - (2) Class B, small livestock: \$60.00.

(3) Class C, large livestock: \$75.00.

(b) Impoundment charges where impoundment occurs outside regular working hours shall be doubled.

(c) Daily handling/boarding fees:

(1) Class A: \$10.00.

(2) Class B: \$20.00.

Sec. A2.003 Animal quarantine

(a) (1) Shelter quarantine, per day: \$25.00.

(2) The owner of any animal held in quarantine for ten days for observation purposes shall be charged ten dollars (\$10.00) for handling/boarding every day or fraction of a day an animal remains in the city's boarding facility. This is in addition to quarantine fees.

(b) Impounded animals cannot be released without proof of current rabies vaccination.

(c) Head shipment: Actual costs.

Sec. A2.004 Miscellaneous fees

(a) Euthanasia/disposal fees:

(1) Cats: \$15.00.

(2) Dogs: \$30.00.

(b) Surrender fees, per animal: \$75.00.

ARTICLE A3.000 UTILITY RATES AND CHARGES

Sec. A3.001 Water and sewer rates

(a) Water rates

(1) Residential rate:

\$25.00 Senior Citizen age 65 with a 2000 gallon minimum. Plus an additional \$2.86 per thousand from 2,001-10,000 gallons.

\$41.74 for the first 3,000 gallons (minimum) plus an additional;

\$2.86 per thousand from 3,001-10,000 gallons; and

\$4.02 per thousand from 10,001-25,000 gallons; and

\$6.05 per thousand from 25,001-50,000 gallons; and

\$7.64 per thousand any over 50,001 gallons.

(2) Residential rate, city employee, Volunteer Fire Dept, City Council, Mayor

\$4.50 for the first 10,000 gallons (minimum) plus an additional;

\$2.08 per thousand from 10,001-25,000 gallons; and

\$2.91 per thousand from 25,001-50,000 gallons; and

\$4.38 per thousand any over 50,001 gallons.

(3) Commercial/industrial rate:

\$46.28 for the first 3,000 gallons (minimum) plus an additional;

\$2.86 per thousand from 3,001-10,000 gallons; and

\$4.02 per thousand from 10,001-25,000 gallons; and

\$6.05 per thousand from 25,001-50,000 gallons; and

\$7.64 per thousand any over 50,001 gallons.

(4) Fire hydrant/ BULK meter:

\$44.28 for the first 1,000 gallons; and

\$7.64 per thousand gallons.

(7) Multiple-family units: Multiple-family units served by one water meter shall be charged the residential rate above, multiplied by the number of residential

units connected to the meter. An adjustment will be made to actual occupancy only if received by the city in writing prior to the 28th of the month.

(8) Outside the city: All water service sales outside of the city limits shall have \$22.50 per tap added to the minimum water rate.

(b) Sewer rates. A monthly flat rate fee for sewer service shall be as follows:

(1) Residential rate (based on water consumption). \$22.81 (minimum) plus an additional:

\$0.15 per thousand from 7,001–20,000 gallons; and

\$0.30 per thousand any over 20,001.

(2) Commercial/ Industrial rate (based on water consumption). \$29.81 (minimum) plus an additional:

\$0.15 per thousand from 7,001–20,000 gallons; and

\$0.30 per thousand any over 20,001.

(3) Senior Citizen age 65 (based on water consumption).. \$16.00 (minimum) plus an additional:

\$0.25 per thousand from 7,001–20,000 gallons; and

\$0.40 per thousand any over 20,001.

(4) Residential rate for city employee, Volunteer Fire Dept, City Council, Mayor

\$4.50 (minimum) plus an additional:

\$0.25 per thousand from 7,001–20,000 gallons; and

\$0.40 per thousand any over 20,001

(4) Sewer connections outside of the city limits shall have \$6.50 added to the base sewer rate.

(5) Multiple-family units shall be charged the residential rate above, multiplied

by the number of residential units connected to the associated water meter. An adjustment will be made to actual occupancy only if received by the city in writing prior to the 28th of the month.

Sec. A3.002 Sewer tap location fees

- (a) The sewer tap location fee shall be \$35.00.
- (b) Rates for all taps may be adjusted by the utility director if unusual circumstances are encountered or to include main line extensions.
- (c) Outside the city limits, add \$3,500.00 per tap.

Sec. A3.003 Water tap fees

(a) Fees:

3/4-inch tap	\$1,000.00
1-inch tap	\$1,600.00
1.5-inch tap	\$2,800.00
2-inch tap	\$3,450.00

- (b) The rate for taps larger than 2 inches will be determined by the utility director based on the actual cost to the city at the time of application.
- (c) Rates for all taps may be adjusted by the utility director if unusual circumstances are encountered or to include main line extensions.
- (d) Outside the city limits, add \$6,000.00 per tap.

Sec. A3.004 Utility services deposit

A deposit for utility services will be required at the time of requested service. The amount of the initial deposit per meter will be as follows:

- (1) Residential and commercial: \$200.00.
- (2) Outside city limits: \$250.00.

Sec. A3.005 Service fees

(a) A fifty dollar (\$50.00) service fee shall be charged once a work order list for disconnection has been issued.

(b) A thirty-five dollar (\$35.00) service fee shall be added for work orders involving staff time after normal operating hours.

(c) A fifty dollar (\$50.00) tampering fee shall be charged if a water meter is tampered with. If the meter or other city equipment is damaged, the customer will also be charged for the cost of repair which will include materials, labor, and equipment charges.

Sec. A3.006 Late payment charge

All utility accounts become delinquent after the fifteenth (15th) day of each month. A late payment charge of ten percent (10%) of the delinquent amount may be assessed against any utility account that has become delinquent.

Sec. A3.007 Returned financial

Should any check, draft, or credit card charge for payment of utility services hereinabove set out be returned for any reason by the bank such instrument is drawn on, then, in such event, a thirty-five dollar (\$35.00) fee shall be assessed to the customer for whose account such returned instrument was applied.

Sec. A3.008 Sanitation and vector control fees.

(a) Sanitation (trash pickup).

(1) Domestic residential customers. The following monthly garbage collection and removal rate shall apply to all domestic residential customers within the corporate limits of the city, for one (1) pickup per week:

Monthly charge: \$28.98

A. Residential rate, city employee, Volunteer Fire Dept, City Council,
Mayor

Monthly charge: \$4.50

(2) Apartments, multiple-family units and mobile home units. The following monthly garbage collection and removal rate shall apply to each apartment unit, multiple-family unit, or mobile home space where the [apartment, multiple-family development or mobile home park is on a master] meter for water consumption with the city, for one (1) pickup per week:

Monthly charge: \$28.98 per unit occupied.

(3) Domestic commercial customers. The following monthly garbage collection and removal rate shall apply to all domestic commercial customers within the corporate limits of the city, for one (1) pickup per week:

Monthly charge: \$51.98 EACH

(4) Senior Citizen age 65: The following monthly garbage collection and removal rate shall apply to all domestic commercial customers within the corporate limits of the city, for one (1) pickup per week:

Monthly charge: \$28.98

(5) Schools Month Flat Rate: \$926.20

(6) Taxes and other fees. Sanitation (garbage pickup) service is subject to state, county and local sales tax per the contractor. The city bills for and collects the tax for the contractor per the contractor. This charge for sales tax is subject to change.

(b) Vector control fee. The following monthly vector control (mosquito) rate shall apply to all customers of the city receiving, water, sewer, sanitation services:

Monthly charge: \$3.00.

(1) Residential rate, city employee, Volunteer Fire Dept, City Council, Mayor

Monthly charge: \$1.50

ARTICLE A4.000 MOWING AND LOT CLEANUP FEES

(a) Mowing.

(1) \$80.00 for one lot not exceeding 7,000 square feet;

(2) \$125.00 per two contiguous lots not exceeding 14,000 square feet total;

(3) \$75.00 per hour additional for more than two contiguous lots.

(b) Lot cleanup. \$50.00 per hour for one man with truck plus \$30.00 per hour for each additional man. Additionally, any special environmental hazard cleanup work will incur additional charges. Additional charges will be made in cases where the use of the city's backhoe is required.

(c) Lien. Such charge shall be assessed against said lot or lots, tract or parcel of land, and shall constitute a lien against said lot or lots, tract or parcel of land.